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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

CAROL NELSON, individually and joint tenant;
and STANLEY NELSON, individually and as joint
tenant,

Defendants.

Adv. Pro. No. 10-04377 (SMB)

NOTICE OF FINAL PRETRIAL CONFERENCE

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) (ECF No. 3141). Under the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, in this adversary proceeding on December 2, 2010 (Adv. Pro. No. 10-04898, ECF No. 2), the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) apply to the instant matter.

On April 17, 2014, Defendants Carol Nelson and Stanley Nelson filed an Answer to Trustee’s Complaint (Adv. Pro. No. 10-04377, ECF No. 30) and the Parties commenced discovery, which was completed on March 14, 2016.

On November 14, 2016, the Trustee filed a Notice of Mediation Referral (Adv. Pro. No. 10-04377, ECF No. 64), and the mediation was completed on March 8, 2017 without a settlement between the Parties.

The mediator filed his final report on March 13, 2017 (Adv. Pro. No. 10-04377, ECF No. 68).

This Court held a Pre-Trial Conference on May 31, 2017, and on June 23, 2017 entered an Order Setting Trial setting the trial for October 31, 2017, and requiring any motions to withdraw the reference be filed within thirty days after entry of the Order (Adv. Pro. No. 10-04377, ECF No. 75).

Defendant filed a Motion to Withdraw the Reference on June 29, 2017, (Adv. Pro. No. 10-04377, ECF No. 77 and Case No. 1:17-cv-05163, ECF No. 1), and on August 2, 2017, this case

was reassigned to United States District Court Judge George B. Daniels.

On May 15, 2018, United States District Judge Daniels entered a Memorandum Decision and Order denying Defendants' motions to withdraw the reference (Case No. 1:17-cv-05163, ECF No. 16).

On May 29, 2018, Defendants filed a Motion for Reconsideration on the May 15, 2018, decision and order denying their motions to withdraw the reference (Case No. 1:17-cv-05163, ECF No. 19), and on September 11, 2018, United States District Court Judge George B. Daniels entered a Memorandum Decision and Order denying the Defendant's Motion for Reconsideration and directing the Clerk of Court to close the motions (Case No. 1:17-cv-05163, ECF No. 29).

Under Section 7 of the Avoidance Procedures concerning scheduling a pretrial conference and trial, the final pre-trial conference in this adversary proceeding has been scheduled for **October 10, 2018, at 10:00 a.m.** before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge and all trial counsel are required to attend.

Dated: September 13, 2018
New York, New York

Of Counsel:

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